

THE LEGAL ASSISTANCE OFFICES OF
III CORPS, 1ST CAVALRY DIVISION, 4TH INFANTRY DIVISION (MECHANIZED)
FORT HOOD, TEXAS 76544

PROTECTIVE ORDERS

I. What is a Protective Order?

- A. It is an order from the Court prohibiting someone from committing acts of family violence, from harassing or threatening the person(s) protected, and may include an order to stay away from the protected person's residence or place of employment.
- B. A protective order does *not* decide parental rights, visitation rights, property rights, or other issues commonly included in a divorce.
- C. A protective order will prohibit only the respondent (the family member you are seeking protection from) from doing certain things.
- D. A protective order will not order someone to talk to you or to go to counseling.
- E. A protective order is civil in nature. A person can not be put on probation or sent to jail because you filed an application for a protective order against him/her. However, this person may have to face separate criminal charges at another time for his/her actions if he/she violates the protective order.

II. Who Can Get a Protective Order?

- A. Any family member or past family member can get a Protective Order when it is shown that there has been family violence in the past and there is a reasonable likelihood of violence in the future.
- B. A protective order is *not* available to someone who has filed for divorce. If you have filed for divorce consult your attorney about other protections which are available to you.

III. How Much Does a Protective Order Cost?

- A. If the Bell County Attorney's Office files the application, the cost to the applicant is a \$36.00 filing fee, payable at the time of filing.
- B. The Bell County Attorney's Office does not charge attorney's fees for the service, unless the application is later dropped.
- C. If an applicant wants to "drop" an application for a protective order, the applicant will be charged attorney's fees of \$100.00 per hour.

IV. Are You Required To Go To Court?

- A. A hearing is required in order to obtain a protective order.

- B. The hearing is usually held within two weeks after the original, temporary order (if any) is issued by the judge.

V. Can You Enforce a Protective Order On Post?

- A. Fort Hood Military Police (MP) will enforce your protective order if you have filed one with the MP office, located at the corner of 58th Street and Battalion, Building # 23,020.
- B. If you have a protective order and you either live or work on post, give the MP officer at the main desk a copy of your protective order to file.
- C. If someone violates the protective order call the MP office. If your protective order is on file and is not expired, a MP will escort the violator away from your vicinity. If your protective order does not have an expiration date, the MPs will only honor it for thirty days.

FOR ADDITIONAL INFORMATION CONTACT THE LEGAL ASSISTANCE OFFICES ON FORT HOOD: III Corps, Building 1001, Room C224, 287-7901/3199; 1st Cavalry Division, Building 28000, Room 1155, 287-6060; 4th Infantry Division (Mechanized), Building 410, Room 175, 287-1850.